

**REMARKS**

Claims 24, 26, 30, 35, 38, and 42 are pending in the application. Claims 41 and 50-54 are cancelled by this amendment. Claims 24, 26, and 30 are amended to insert the appropriate sequence identifiers. No new matter is added by this amendment.

**DOUBLE PATENTING REJECTION**

The Examiner has rejected claims 24, 26, 30, 35, 38, 41, and 42 on the grounds of nonstatutory obviousness-type double patenting over claims 1, 3, 5, 7, and 10 of U.S. Patent No. 5,166,058. Without acquiescing to the Examiner's reasoning, and solely to expedite allowance of the claims, Applicants file herewith a terminal disclaimer under 37 C.F.R. §1.321 indicating that the '058 patent and the instant application are commonly owned. Applicants note that any patent issuing from this patent would expire on April 8, 1988, well before the expiration date of the '058 patent on November 24, 2009. The terminal disclaimer is submitted solely to confirm that any patent issuing from this application will be enforceable only for and during such period that it and the '058 patent are commonly owned. Applicants respectfully request that, in view of the terminal disclaimer, the rejection of the claims as unpatentable over the '058 patent be withdrawn.

**REJECTION UNDER 35 U.S.C. § 112, SECOND PARAGRAPH**

The Examiner rejected claim 41 as allegedly indefinite under 35 U.S.C. § 112, second paragraph. Without acquiescing to the Examiner's reasoning, and solely to

expedite allowance of the claims, Applicants have deleted claim 41, rendering this rejection moot.

**FORMAL MATTERS**

The Examiner stated that the application is not fully in compliance with the sequence rules. Particularly, the claims did not recite the appropriate sequence identifiers. The claims have been amended to insert these sequence identifiers.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims. Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated:

11/8/06

By:

  
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Attachments:      Terminal Disclaimer